



- d. There is only one bidder.
- e. Only one proposal is submitted to a request for proposal.
- f. The city council determines that the City of Minneapolis would gain a substantial cost savings by awarding a personal services contract to a contractor that will not comply with this section.

(M.C.O. § 18.200(h)). A decision of the City Council either granting or denying an exception to the EBO is final.

The existing contract amendment with Lifetime Fitness, Inc. ("Lifetime") expires March 31, 2011. The City issued an RFP to select a new vendor for provision of health club memberships to sworn personnel in Police, Fire and Park Police. The City included the required notice regarding the EBO requirements.

Lifetime was selected to provide these services under a contract anticipated to run through December 31, 2014. Lifetime was the only respondent to the RFP that had sufficient facilities and amenities to meet the substantive requirements of the RFP. However, they are not now, and will not be in the future, compliant with the EBO. Accordingly, we are asking the City Council to grant an exception under M.C.O. § 18.200(g)(2)(c) (Contractor is providing unique services that can only be reasonably provided by that Contractor) to the requirements of the EBO for the term of this contract.